

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

January 20, 2003

PRESENT: Tom Cowan, Chair
Mark Decker, Co-Chair
Terry Janicz
Andy Kelkenberg
Rick Meahl
Don Hoeffler

Christine Falkowski, Planning Board Clerk

The meeting was called to order by Tom Cowan at 7:30 PM.

Andy motioned to accept the minutes from the January 6th meeting, seconded by Tom and all approved.

DiRienzo minor subdivision

James F. DiRienzo is looking to subdivide a 450 x 486' lot (SBL #21.00-4-24.1) on Cedar Street. After speaking to Mr. DiRienzo, Tom discovered that he plans to deed the remaining 150 x 478' lot to the parcel immediately north of it, 7421 Cedar Street, (SBL #21.00-4-12.112) owned by his son. This action would eliminate the need to subdivide. When we receive proof of deed this spring, we will return Mr. DiRienzo's \$650 subdivision fee.

13722 Main Road – Special Use Permit

Rich Belotta appeared before the Planning Board and stated he will be leasing a portion of this used car lot. His business is 90% wholesale, and he plans to keep five to six cars on display. The former owner is moving out, but special use permits are not transferable, and are renewed annually for the purpose of reviewing them. This permit request will require a full site plan (scaled properly), and a public hearing. Mr. Belotta will pick up a site plan packet tomorrow morning.

12690 Main Road – Special Use Permit

Mike Shields appeared before the Board. He lives on the property and plans to display five to ten cars on the lot at a time. Mr. Shields stated that he had a car dealership in Clarence a few years ago and that he rented from John Smith, Sr. at the old J&I Disposal place. This permit will require site plan approval, and Mr. Shields will pick up a site plan packet from Becky. The Board will then recommend to the Town Board that a public hearing be held. Mr. Shields was told that the Planning Board would look at signage, parking, including one handicapped, lights and that he will need certified plans from an engineer. It was suggested that he contact George Hawer for a contact, as he recently went through this process.

The question was raised, how do we curtail too many used car dealers in the C-2 district on Main Road.

Northeast Caissons will be rezoned I-1, not I-2. Mark questioned how we could recommend to the Town Board that a 10' high stockade fence be installed to provide screening, which is in violation of eight feet per Code. Post-meeting research indicates that if conditions of the proposed rezoning effort include items that are not in conformance with present code, they impact just the parcel being considered. The following conditions are being considered for the rezoned parcel:

- a. Outdoor storage-free buffer zone of 50' maintained on both sides of the property which abut R-A zoned property, with the understanding that on the west side, vehicle access for ingress and egress shall be allowed to continue.
- b. Front façade of the building must be dressed.
- c. Skin on the west wall of the three-bay garage replaced
- d. Drainage corrected at northeast corner of property to eliminate standing water in accordance with a drainage plan approved by the Town.
- e. Two separate and distinct driveways must be created with a grassy area created between the two driveways.
- f. A 10' stockade fence shall be constructed along the entire length of the west side of the property.
- g. Grassy area on the east side of the property shall be reseeded and some trees planted in accordance with site plan to be approved by the Town Board.
- h. Outdoor storage shall be limited to a maximum of 12' in height.
- i. No vehicles shall be parked and no materials stored within the buffer zones on the east or west sides of the property.

The Walworth minor vs. major subdivision question was reviewed. It was determined to be minor, as there are four lots, not five, subject to Bill's intent to deed the center parcel to the lot with the house on it. We were not aware of this, as the paperwork has not reached our office yet.

The site plan was reviewed for 11492 Main Road, owned by John Smith. Building permit applications were received for two commercial buildings. When Frank Trybuskiewicz reviewed the plans, he could not determine which of the five buildings on the plans represented the permits. After physically measuring the buildings and distances between them, we discovered that the plans were different. Mr. Smith stopped by the Building Dept. and stated that the five buildings on the plans are now four as he is merging two of them to create a larger warehouse for storing larger items. Mark made a motion to mandate that Mr. Smith provide the Board with a site plan that accurately depicts what is on the property, and that if that plan needs further review, Mr. Smith will be contacted, seconded by Terry and all approved. Tom stated that he would do a memo to Mr. Smith.

Special permit renewals were reviewed and the Board had no comment concerning the following:

- ❑ Country Care Day Care – Rapids Rd.
- ❑ Triple G Small Engine Repair – Buckwheat Rd.
- ❑ Melissa Liddick – Barnum Rd. – dog kennel
- ❑ George Hawer – Main Rd. – used car dealership
- ❑ Rattles to Reading – Scotland Rd. – new location

Tom Cowan will prepare a memorandum.

Section 100-21. C-2 Commercial District in the Codebook lists the permitted uses upon issuance of a special permit. Use #3 is “private schools”, and we would like to see “day care centers” added to this use. Also, Tom indicated that he would like Nathan’s interpretation of Section 100-21 H. Site Plan review. These items will be addressed when the CodeBook is reviewed for modification.

The pile of demolition debris on the corner of S. Newstead and Main owned by Ceisner’s was discussed. The Planning Board would like to keep abreast of situations like these, as they often are questioned by the public.

Mark mentioned that the annual meeting highlighted in “Towns & Topics” has a segment on how to deal with large franchises (such as Wal-Mart) that looks interesting.

Question: What is the status of the site adjacent to the former SchoolHouse Gift Shop (in front of Golden Pond)? Do they have or need a special use permit?

Off-premises signs and billboards will be added to the Unfinished Business for the next meeting’s agenda.

Andy motioned to adjourn the meeting at 9:00 PM, seconded by Terry and all approved.

Respectfully submitted by,

Christine Falkowski
Recording Secretary